

REMARKS

Upon entry of this response, claims 1-14 and 25-29 remain pending in the present application. No claims are amended herein, where the listing of the claims is provided above merely for the sake of convenience. Applicants respectfully request reconsideration of the pending claims in view of the following remarks.

1. CLAIMS 1-2, 8-10, AND 25-26

In item Claims 1-2, 8-10, and 25-26 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent 6,597,469 issued to Kuroyanagi (hereafter "*Kuroyanagi*"). Anticipation under § 102 "requires the disclosure in a single prior art reference of each element of the claim under construction." W.L. Gore & Associates, Inc. v. Garlock, Inc., 220 USPQ 303, 313 (Fed. Cir. 1983). For the reasons that follow, Applicants assert that the rejection of claims 1-2, 8-10, and 25-26 is improper. Accordingly, Applicants request that the rejection of these claims be withdrawn.

a. CLAIMS 1, 8, AND 25

To begin, claim 1 states as follows:

1. A print auditing network, comprising:
 - a client that originates a print job for printing, the print job including parametric data associated with the print job;
 - a printer in data communication with the client that is employed to print the print job, the print job being transmitted from the client to the printer;
 - a print job aggregator in data communication with the client and the printer;
 - a client agent executed in the client to provide a first report of the parametric data associated with the print job to the print job aggregator; and
 - a print agent executed in the printer to provide a second report of the parametric data associated with the print job to the print job aggregator after the print job is finished printing, where the print job aggregator stores the first and second reports of the parametric data in a memory.

With respect to claim 1, the Office action states in part that:

"...Kuroyanagi '469 discloses a print auditing network (Fig. 1), comprising:

...

a print job aggregator (330/340, fig. 2C) in data communication (Input/Output Interface 310, fig. 2C) with the client and the printer (i.e., a department manage server 300 connected to the network for managing the number of outputs of the print and copy jobs; Col. 8, lines 50-55);

a client agent (a copy job requested by each user assigned a specific copy job management identification number, col. 9, lines 105) executed in the client to provide a first report of the parametric data associated with the print job to the print job aggregator (i.e., the department manage server 300 receives from the network 10 the output number managed in correspondence with the copy ID by the copy job output number management function of the image input/output device 200; Col. 9, lines 8-11, figs. 1, 2C);

a print agent (270, fig. 2B) executed in the printer (i.e., a departmental copy counter table 270 is used which manages the output number of a copy job in correspondence with each copy ID; Col. 10, lines 19-45, fig. 2B) to provide a second report of the parametric data (ID, Monochrome and Color of Counter Table 270, fig. 2B) associated with the print job to the print job aggregator after the print job is finished printing (i.e., in response to a request instruction issued from the department manage server 300, the output numbers and corresponding copy ID's written in the departmental copy counter table 270 are transferred via the network 10 to the department manage server 300 which calculates a total sum of the output numbers of each print job and corresponding copy job; Col. 10, lines 48-55), where the print job aggregator stores the first and second reports of the parametric data in a memory (i.e., departmental counter table 340 in a memory of the department manage server 300 for totaling and storing for each piece of the identification information; Col. 22, lines 1-7).

Office action, pages 3-4.

Applicants respectfully disagree. To begin, there is no "print job aggregator" that is in data communication with the client. Rather, as set forth in *Kuroyanagi*, it appears that the client 20 transmits print jobs to the print server 100 for printing. To this end, at col. 8, lines 47-56, *Kuroyanagi* states as follows:

As shown in FIG. 1, the image forming system has a composite function of outputting a print job and a copy job, and is constituted of: an image input/output unit 200 which is used as a common printer for clients 20 on a network 10; a print server 100 for receiving from the network 10 a print job requested by the client 20 and managing the number of outputs of the

received print job; and a department manage server 300 connected to the network for managing the number of outputs of the print and copy jobs.

Although the computer 20 and the department manage server 300 are coupled to the same network 10, there is apparently no data communication between such components as the client does not report information to the department manage server 300. In addition, *Kuroyanagi* fails to show a client agent that is executed in the client to provide a first report of parametric data associated with the print jobs of the print job aggregator. To this end, the items taken as the print job aggregator 330/340 of FIG. 2C do not appear to be in data communication with the client 20 as described by *Kuroyanagi*. To this end, these items are merely tables for the storage of data.

Further, Applicants assert that *Kuroyanagi* fails to show or suggest a client agent that is executed in the client to provide a first report of the parametric data associated with the print job to the print job aggregator. To this end, FIG. 2A shows an image of the print server 100 that includes a print counter table 140. FIG. 2B shows an image input/output device 200, presumably a printer/copier, that includes a "copy" counter table 270. FIG. 2C shows a department manage server 300 that includes a counter table that sums the information from the tables in the print server and the image input/output device as described above. However, there is no discussion in *Kuroyanagi* as to any functionality associated with the client that provides a report of parametric data associated with a print job to the print job aggregator. To this end, *Kuroyanagi* merely describes a computer 20 that originates a print job. There is no communication of a first report of parametric data associated with a print job from the client to any device that may be construed as a print job aggregator.

Further, Applicants assert that *Kuroyanagi* fails to show or suggest a print agent that is executed in the printer to provide a second report of the parametric data associated with the print job aggregator after the print job is finished printing. To this end, the table 270 of FIG. 2B includes a tabulation of copies made of documents, not documents that were printed. To this end, *Kuroyanagi* teaches keeping track of documents printed in the print server 100. Thus, the counter information stored in the table 270 of FIG. 2B in the image input/output device 200 is not information about a print job that originates in the client. The "print counter" table 140 includes a count per

department of prints made based upon print jobs, whereas the "copy counter" table 270 includes a count per department of copies made on the image input/output device 200.

Thus, the count data in the copy counter table 270 in of the image input/output device 200 cannot be construed as providing a second report of the parametric data associated with the print job generated in the client 20 to a print job aggregator after the print job is finished printing as claimed. To this end, the first report and second report set forth parametric data associated with the same print job as set forth in claim 1. Thus, as set forth in claim 1, the client agent in the client and the print agent in the printer generate the first and second reports, respectively, based on the parametric data associated with the same print job.

As described by *Kuroyanagi*, there is no client agent in the client, and there is no agent in the image input/output device 200 that generates a report based upon parametric data associated with a print job from the client. Rather, the count data in the image input/output device 200 relates to copies, not print jobs. Further, the print or copy count data in the tables 140 and 270 simply track how many pages are printed or copied, such data is not parametric data associated with the print job.

Accordingly, Applicants assert that the rejection of claim 1 is improper. Therefore, Applicants request that the rejection of claim 1 be withdrawn.

In addition, claim 8 recites as follows:

8. A method for auditing a print job within a network, the method comprising:
 originating a print job in a client to be printed;
 associating parametric data with the print job, the parametric data describing the print job;
 transmitting a first report of the parametric data from the client to a print job aggregator;
 transmitting the print job from the client to a printer;
 printing the print job in the printer; and
 transmitting a second report of the parametric data from the printer to the print job aggregator after the print job is printed by the printer.

As set forth above, Applicants assert that *Kuroyanagi* fails to show or suggest the step of "transmitting a first report of the parametric data from the client to a print job aggregator" as discussed above. Also, Applicants assert that *Kuroyanagi* fails to show or suggest the step of "transmitting a second report of the parametric data from the

printer to the print job aggregator after the print job is printed by the printer" as discussed above. Accordingly, Applicants request that the rejection of claim 8 be withdrawn.

Further, claim 25 recites as follows:

25. A print auditing network, comprising:
a client that originates a print job for printing, the print job including parametric data associated with the print job;
a printer in data communication with the client that is employed to print the print job, the print job being transmitted from the client to the printer;
a print job aggregator in data communication with the client and the printer;
means in the client for providing a first report of the parametric data associated with the print job to the print job aggregator;
and
means in the printer for providing a second report of the parametric data associated with the print job to the print job aggregator after the print job is finished printing, where the print job aggregator stores the first and second reports of the parametric data in a memory.

As set forth above, Applicants respectfully assert that *Kuroyanagi* fails to show or suggest the print job aggregator that is in data communication with the client and the printer as discussed above. Further, Applicants assert that *Kuroyanagi* fails to show the means in the client for providing the first report of the parametric data associated with the print job of the print job aggregator. Also, Applicants assert that *Kuroyanagi* fails to show or suggest the means in the printer for providing the second report of the parametric data associated with the print job for the print job aggregator after the print job has finished printing. Accordingly, Applicants respectfully request that the rejection of claim 25 be withdrawn.

In addition, Applicants request that the rejection of claims 2, 9, 10, and 26 be withdrawn as depending from claims 1, 8, and 25 for the reasons described above.

b. CLAIMS 2, 9, 10, AND 26

In addition, claim 2 further provides:

2. The print auditing network of claim 1, further comprising:

a print server in data communication with the client, the printer and the print job aggregator; and

a print server agent executed in the print server to provide a third report of the parametric data associated with the print job to the print job aggregator.

With respect to claim 2, the Office action states:

Regarding claim 2, Kuroyanagi '469 discloses the print auditing network (Fig. 1), further comprising:

a print server (Print Server 100, fig. 1) in data communication (Network 10, fig. 1) with the client (Client user 20, fig. 1), the printer (Image Input device 200, fig. 1) and the print job aggregator (330/340 of Manage server 300, fig. 2C);

a print server agent (140, fig. 2A) executed in the print server (100, fig. 2A) to provide a third report (Print Job 131, fig. 2A) of the parametric data (140, fig. 2A) associated with the print job to the print job aggregator (i.e., the print server 100 receives from the client 20 via the network 10 a print job requested by each user assigned a specific print job management identification number (hereinafter called a print ID), instructs the image input/output device 200 to output the received print job, and manages the number of print outputs of the print job in correspondence with the print ID of the user; Col. 9, lines 1-7).

Office action, pages 4-5.

Applicants respectfully disagree. In particular, claim 2 recites that the print server agent is executed in the print server to provide a third report of the parametric data associated with the print job to the print job aggregator. To this end, the parametric data reported in the third report is the parametric data associated with the same print job from which the second and first reports are generated. To this end, the print server 100 described by *Kuroyanagi* merely keeps track of the number of prints of various types sent to the printer. It does not send a report of parametric data associated with the print job to the print job aggregator, where first and second reports of the parametric data are generated by the client agent in the client and the print agent in the printer that are sent to the print job aggregator. To the extent that the print server 100 includes functionality that reports departmental print counts from the departmental print counter table 140, such is not a report of the parametric data associated with a print job for which other reports were made in other devices as described above.

Accordingly, Applicants further requests that the rejection of claim 2 be withdrawn.

Also, claim 26 recites as follows:

26. The print auditing network of claim 25, further comprising:
a print server in data communication with the client, the printer and the print job aggregator; and
means in the print server for providing a third report of the parametric data associated with the print job to the print job aggregator.

Applicants respectfully assert that *Kuroyanagi* fails to show or suggest at least "means in the print server for providing a third report of the parametric data associated with the print job to the print job aggregator" as discussed above. Accordingly, Applicants further request that the rejection of claim 26 be withdrawn.

In addition, claim 9 recites as follows:

9. The method of claim 8, further comprising updating the parametric data of the print job in the printer during printing.

With respect to claim 9, the Office action states as follows:

Regarding claim 9, *Kuroyanagi* '469 discloses the method, further comprising updating the parametric data of the print job in the printer during printing (i.e., the output number counted for this copy job is added to the output number registered in the departmental copy counter table 270 corresponding to the entered copy ID to update the contents of the departmental copy counter table 270 so as to have the addition result; Col. 10, lines 30-35, fig. 2B).

Office action, page 5.

Applicants respectfully disagree. To this end, *Kuroyanagi* merely maintains a print count associated with various departmental IDs. To this end, there is no updating of parametric data associated with a print job itself. The counts maintained in association with departmental IDs in the departmental print counter table 140 include a count of all documents printed presumably for all print jobs. However, such information is not the parametric data associated with a given print job. Stated another way, the parametric data associated with a given print job is not updated. The parametric data presumably travels with the print job such as in a header or other portion of the data

representing the print job. Further, at column 10, lines 29-47 inclusive of the portions cited in the Office action above, *Kuroyanagi* states as follows:

If already registered, the output number counted for this copy job is added to the output number registered in the departmental copy counter table 270 corresponding to the entered copy ID to update the contents of the departmental copy counter table 270 so as to have the addition result. Namely, if the entered copy ID is already registered in the departmental copy counter table 270, the output number of the present copy job is cumulatively written in the field corresponding to the copy ID. If the print output is a color output, the output number is cumulatively written in the color output field, whereas if the print output is a monochrome output, the output number is cumulatively written in the monochrome output field. In the example shown in FIGS. 2A to 2C, for the copy ID "a" of the departmental copy counter table 270, "3123" is written in the monochrome output number field and "89" is written in the color output number field. If the entered ID is not already registered in the departmental copy counter table 270, the copy job is inhibited.

As set forth above, *Kuroyanagi* simply describes tabulating output counts of both copied pages and printed pages. There is no updating of the parametric data associated with print jobs themselves. According to various embodiments, for example, the parametric data of a given print job may be updated by including additional information or changing information associated with the print job such as, for example, adding the use and cost of consumables such as toner, ink, paper, or other consumables employed for the copying or printing of the document, updating receive times, completion times, and processing times associated with processing the print job, and other information as described in the present specification.

Applicants respectfully assert that *Kuroyanagi* fails to describe the concept of updating parametric data associated with the print job itself. Therefore, Applicants respectfully assert that *Kuroyanagi* fails to show or suggest the concept of updating the parametric data of the print job in the printer or in any other device during printing.

Accordingly, Applicants further request that the rejection of claim 9 be withdrawn. In addition, claim 10 recites as follows:

10. The method of claim 8, wherein transmitting the print job from the client to the printer further comprises:

transmitting the print job from the client to a print server that is in data communication with the client;

transmitting the print job from the print server to the printer that is in data communication with the print server; and
the method further comprising transmitting a third report of the parametric data from the print server to the print job aggregator.

As set forth above, claim 10 recites at least the concept of transmitting a third report of the parametric data from the print server to the print job aggregator. Applicants assert that *Kuroyanagi* fails to show or suggest at least this element for the same reasons set forth above. Accordingly, Applicants respectfully request that the rejection of claim 10 be withdrawn for these additional reasons.

2. CLAIMS 3-4, 11, AND 27-28

Next, in item 5, claims 3-4, 11, and 27-28 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Kuroyanagi* in view of U.S. Patent Application Publication 2003/0090705 filed by Ferlitsch (hereafter "*Ferlitsch*"). A prima facie case of obviousness is established only when the prior art teaches or suggests all of the elements of the claims. MPEP §2143.03, In re Rijckaert, 9 F.3d 1531, 28 U.S.P.Q2d 1955, 1956 (Fed. Cir. 1993). Applicants note that claims 3-4, 11, and 27-28 ultimately depend from claims 1, 8, and 25 described above. As set forth above, Applicants assert that *Kuroyanagi* fails to show or suggest each of the elements of claims 1, 8, and 25. Applicants further assert that *Ferlitsch* fails to show or suggest any of the elements not shown or suggested by *Kuroyanagi* as set forth above. Accordingly, Applicants respectfully assert that the combination of *Kuroyanagi* and *Ferlitsch* fails to show or suggest each of the elements of claims 3-4, 11, and 27-28 as depending from claims 1, 8, and 25. Therefore, for this reason, Applicants respectfully request that the rejection of claims 3-4, 11, and 27-28 be withdrawn.

3. CLAIMS 5, 12, AND 29

Next, in item 6, claims 5, 12, and 29 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kuroyanagi* in view of *Ferlitsch* and further in view of

U.S. Patent Application Publication 2005/0097441 filed by Herbach *et al.* (hereafter "*Herbach*"). A prima facie case of obviousness is established only when the prior art teaches or suggests all of the elements of the claims. MPEP §2143.03, In re Rijckaert, 9 F.3d 1531, 28 U.S.P.Q2d 1955, 1956 (Fed. Cir. 1993). For the reasons that follow, Applicants assert that the rejection of claim 5 is improper and must be withdrawn.

To begin, claim 5 recites as follows:

5. The print auditing network of claim 4, wherein a globally unique identifier is associated with each of the first, second, and third reports of the parametric data and the globally unique identifier is the same in the first, second and third reports.

With respect to claim 5, the Office action states as follows:

Regarding claim 5, the combination of Kuroyanagi '469 and Ferlitsch '705 does not explicitly show the print auditing network, wherein a globally unique identifier is associated with each of the first, second, and third reports of the parametric data and the globally unique identifier is the same in the first, second and third reports.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Herbach '441. In particular, Herbach '441 teaches the print auditing network (Network 100, fig. 1), wherein a globally unique identifier is associated with each of the first, second, and third reports of the parametric data (i.e., allocation of document tickets, each document that is secured on the server can be given a ticket with a GUID (global unique identifier); Page 10, paragraph [0104]) and the globally unique identifier is the same in the first, second and third reports (i.e., an authentication procedure can even be changed between sequential actions on a document, and thus a new request 350 can result in a new authentication process 315 being delivered for the same action to be performed on an already delivered document; Page 5, paragraph [0062], fig. 3).

In view of the above, having the combination system of Kuroyanagi and Ferlitsch and then given the well-established teaching of Herbach, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Kuroyanagi and Ferlitsch as taught by Herbach to include: the print auditing network, wherein a globally unique identifier is associated with each of the first, second, and third reports of the parametric data and the globally unique identifier is the same in the first, second and third reports, since Herbach stated on page 1, paragraph [0002] that such a modification would ensure providing persistent protection for documents by requiring the server to be contacted before a secured document can be opened.

Office action, pages 13-14.

Applicants respectfully disagree. First, it is noted that claims 5, 12, and 29 ultimately depend from claims 1, 8, and 25. Accordingly, Applicants assert that the cited combination of *Kuroyanagi*, *Ferlitsch*, and *Herbach* fails to show or suggest each of the elements of claims 5, 12, and 29 for the same reasons described above with respect to the claims from which claims 5, 12, and 29 depend. Further, Applicants assert that it is clear *Herbach* fails to address the deficiencies in *Kuroyanagi* and *Ferlitsch* cited above. Therefore, Applicants respectfully assert that the cited combination of *Kuroyanagi*, *Ferlitsch*, and *Herbach* fails to show or suggest each of the elements of claims 5, 12, and 29. Accordingly, for this reason, the rejection of claims 5, 12, and 29 must be withdrawn.

In addition, Applicants note that *Herbach* relates to a system that provides for control of different language versions of a document or different sequential versions of a document. To this end, *Herbach* relates to distribution of documents that undergo revision or that come in several versions. To this end, in paragraph [0104] cited in the Office action above, *Herbach* states as follows:

[0104] Referring again to FIG. 9, a storage service provider 920 can provide an interface that describes a collection of methods that the server 900 uses to create and retrieve data in persistent storage. This interface can be the largest service provider interface in the system and can grow further as new integrations and features are implemented in a document control system. The storage service provider 920 can provide methods in the following areas: (1) Allocation of document tickets--each document that is secured on the server can be given a ticket with a GUID (global unique identifier); (2) Recording document revocation; (3) Saving encryption keys for users, groups, documents, and the root server keys; (4) Caching user alias and group membership data; (5) Auditing user access and securing; (6) Management and storage of named ACLs or policies; (7) Storage and retrieval of the current ACLs for documents; (8) Creation of initial ACLs for documents.

Applicants assert that *Herbach* employs global unique identifiers to provide a unique identity for each of the documents stored on servers. However, claim 5 indicates that the global unique identifier is associated with each of the first, second, and third reports of the parametric data. To this end, the first, second, and third reports of the parametric data each have the same unique identifier. This contrasts with *Herbach* in which each individual document has its own global unique identifier. Accordingly,

Applicants assert that the assumptions underlying the reasoning of the Office action are without merit. *Herbach* does not show or suggest assigning a single global unique identifier to multiple reports associated with a given print job or other document.

Specifically, Applicants notes that the Office Action states:

In view of the above, having the combination system of Kuroyanagi and Ferlitsch and then given the well-established teaching of *Herbach*, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Kuroyanagi and Ferlitsch as taught by *Herbach* to include: the print auditing network, wherein a globally unique identifier is associated with each of the first, second, and third reports of the parametric data and the globally unique identifier is the same in the first, second and third reports, since *Herbach* stated on page 1, paragraph [0002] that such a modification would ensure providing persistent protection for documents by requiring the server to be contacted before a secured document can be opened...

Applicants assert that this statement is without merit. Specifically, the citation to paragraph [0002] appears to be irrelevant to the subject matter of claim 5. Specifically, paragraph [0002] of *Herbach* states as follows:

[0002] Traditional document control systems have included servers that store and manage encryption keys for documents secured by the system, providing persistent protection for documents by requiring the server to be contacted before a secured document can be opened. Such systems have also provided offline capabilities by caching a cryptographic document key on a client to allow the client to open a document for a limited time when the user is offline, provided the document is first opened while online. Such systems have also been able to log document access information, including caching of log information while offline, for use in auditing document access.

As set forth above, paragraph [0002] relates to the management of encryption keys and managing access to documents. Thus, paragraph [0002] relates to the security of documents, not to the generation of first, second, and third reports of parametric data, where global unique identifier is associated with each report.

Therefore, Applicants assert that *Herbach* fails to show or suggest the element of claim 5. In addition, Applicants assert that neither *Kuroyanagi*, nor *Ferlitsch* show or suggest the subject matter of claim 5 as admitted by the Office Action on page 13. Thus, the cited combination of *Kuroyanagi*, *Ferlitsch*, and *Herbach* fails to show or

suggest each of the elements of claim 5. Accordingly, Applicants respectfully request that the rejection of claim 5 be withdrawn for this additional reason. In addition, Applicants assert that the cited com

In addition, claim 12 recites as follows:

12. The method of claim 11, wherein the first report of parametric data, the second report of parametric data, and the third report of parametric data include the same globally unique identifier.

Applicants assert that the cited combination of *Kuroyanagi*, *Ferlitsch*, and *Herbach* fails to show or suggest the element of the first report of parametric data, the second report of parametric data, and the third report of parametric data including the same globally unique identifier as described above. Accordingly, for this additional reason, Applicants request that the rejection of claim 12 be withdrawn.

Further, claim 29 recites as follows:

29. The print auditing network of claim 28, wherein a globally unique identifier is associated with each of the first, second, and third reports of the parametric data and the globally unique identifier is the same in the first, second and third reports.

Applicants assert that the cited combination of *Kuroyanagi*, *Ferlitsch*, and *Herbach* fails to show or suggest the element of a globally unique identifier being associated with each of the first, second, and third reports of the parametric data and the globally unique identifier being the same in the first, second and third reports as described above. Accordingly, for this additional reason, Applicants request that the rejection of claim 29 be withdrawn.

4. CLAIMS 6, 7, 13, AND 14

Applicants acknowledge the Examiner's statement in the outstanding Office Action in which claims 6, 7, 13, and 14 have been objected to as being dependent upon a rejected base claim, but deemed allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Nonetheless, Applicants respectfully assert that every rejection and objection has been overcome and that each of the claims that remains in the case is presently in condition for allowance.

CONCLUSION

It is requested that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding this Response, the Examiner is encouraged to telephone the undersigned counsel of Applicants.

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